

ination of this deed that the form of the same is such that the same is legally sufficient to convey the above described real property to the State of Ohio by full fee simple title with the warranty that said premises are free and clear of all encumbrances whatsoever.

Encumbrance record No. 1428, which has been submitted as a part of the files relating to the purchase of this property, has been properly executed and the same shows that there is a sufficient unencumbered balance in the proper appropriation account to pay the purchase price of the property, which purchase price is the sum of \$1500.00.

I further find from a certificate over the signature of the Director of Finance as President of the Controlling Board that said Board has approved the purchase of the above described property and has released therefor the money necessary to pay the purchase price of the same.

Accordingly, I am approving the abstract of title submitted subject to the exception above noted with respect to the unpaid taxes for the last half of the year 1933. Inasmuch as the deed tendered to the State by the above named grantors therein warrants that said premises are free and clear of all encumbrances whatsoever, the obligation of paying the taxes on the property for the last half of the year 1933 is on said grantors.

I likewise approve the warranty deed, encumbrance record and other files submitted, and the same together with the abstract of title are herewith returned to you.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

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2467.

APPROVAL, NOTES OF SALINE TOWNSHIP RURAL SCHOOL DISTRICT, JEFFERSON COUNTY, OHIO—\$6,652.00.

COLUMBUS, OHIO, April 6, 1934.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

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2468.

APPROVAL, PROPOSED CONTRACT BETWEEN DIRECTOR OF HIGHWAYS AND THE BALTIMORE AND OHIO SOUTHWESTERN RAILROAD COMPANY, RELATING TO PROPERTY ASSESSMENTS FOR HIGHWAY PURPOSES AND GRADE CROSSING CHANGES IN SCIOTO COUNTY.

COLUMBUS, OHIO, April 6, 1934.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted a proposed contract between you, as Director of Highways, and The Baltimore and Ohio Southwestern Railroad Com-

pany, relating to property easements for highway purposes and grade crossing changes in Scioto County.

After examination, it is my opinion that said agreement is in proper legal form and when it is properly executed by the parties, will constitute a binding contract. Said agreement is being returned herewith.

Respectfully,

JOHN W. BRICKER,

*Attorney General.*

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2469.

APPROVAL, BONDS OF JACKSON TOWNSHIP RURAL SCHOOL DISTRICT, WOOD COUNTY, OHIO—\$4,000.00.

COLUMBUS, OHIO, April 7, 1934.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

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2470.

APPROVAL, BONDS OF CLEVELAND CITY SCHOOL DISTRICT, CUYA-HOGA COUNTY, OHIO—\$6,000.00.

COLUMBUS, OHIO, April 7, 1934.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

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2471.

OFFICES COMPATIBLE—MEMBER OF COUNTY BOARD OF ELECTIONS AND CLERK OF CITY COUNCIL AND EMPLOYE OF COUNTY AUDITOR'S OFFICE WHEN.

**SYLLABUS:**

*A member of a county board of elections may at the same time hold the position of clerk of a city council and that of employe in the County Auditor's office, as distinguished from a deputy in the Coounty Auditor's office, if, as an employe in the County Auditor's office, he is not in the classified civil service and if it is physically possible to perform the duties of all three positions.*

COLUMBUS, OHIO, April 7, 1934.

HON. GEORGE S. MYERS, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent request for my opinion which reads as follows: